

Claim 4, line 1, change "claim 1" to --claim 9--.

Claim 7, line 1, change "claim 5" to --claim 19--.

Claim 8, line 1, change "claim 8" to --claim 19--.

REMARKS

The present amendment is responsive to the Official Action mailed on October 6, 1999. An Information Disclosure Statement and Request for Consideration of Information Under 37 C.F.R. § 1.97(c), are also enclosed. With the present amendment, Applicant has cancelled claims 1, 2, 5 and 6, amended claims 3, 4, 7 and 8, and added new claims 9-26. Accordingly, claims 3, 4, 7, 8 and 9-26 are now presented for the Examiner's consideration in view of the following remarks.

The Examiner has noted that Figure 7 should be designated by a legend such as "prior art." Further, the drawings are objected to for failing to include the reference numeral "10" for the unit controller currently incorrectly labeled as 20. Accordingly, Applicant has amended Figs. 1 and 7 to address the Examiner's concerns. In addition, Applicant has amended Figure 4 to correct element 24 to read "A/D" which represents the A/D converter as described in the specification. Amended Figures 1, 4 and 7 with changes indicated in red ink are submitted herewith along with a separate request for approval to changes of the drawings.

The Examiner has rejected former claims 1-8 under 35 U.S.C. § 112 because of insufficient antecedent basis for limitations within the claims. Applicant has carefully reviewed the new and amended claims as now presented and believes that all antecedent issues have now been rectified. Thus, it is believed that the rejection under § 112 is overcome and should now be withdrawn.

Turning to the rejections based on prior art, the Examiner has rejected claims 1-3 and 5-7 under 35 U.S.C § 102(e) as being anticipated by U.S. Patent No. 5,903,606 to Okayama. It is respectfully submitted that Okayama does not anticipate or render obvious Applicant's invention as presently claimed. Namely, Okayama relates to a receiver such as a unidirectional-communications pager. The processing shown in Figs. 4 and 5 of Okayama is performed at the time of receiving the message data. Moreover, there is no description in Okayama about downloading of the program software that controls the pager. Such program software can be considered even more important than the message data itself, given that it is necessary in the first instance to operate the communications device. Therefore, at the time of downloading of the program software to control the pager, it is necessary to check the receiving signal level carefully. Namely, if the download does not finish successfully, it is impossible to turn the pager back on the next time.

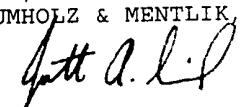
By contrast, according to the present invention, in order to check the receiving signal level carefully, an average signal level is calculated and the storing operation is executed only when the average quality level is better than a predetermined level. The calculation of the average signal level is not described in Okayama, which is not concerned with the downloading of program software or the calculation of an average signal level.

Accordingly, it is respectfully requested that the rejection of the claims based on Okayama be withdrawn.

If there are any issues with respect to this application, the Examiner is respectfully requested to contact Applicant's attorney at the number below. Further, if there are any additional fees due in connection with this matter, the Examiner is authorized to charge our deposit account No. 12-1095 therefor.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of :  
Keiji Yuzawa :  
Application No. 09/035,612 :  
Filed: March 5, 1998 :  
For: DATA RECEPTION DEVICE AND :  
DATA RECEPTION METHOD :  
X

Group Art Unit: 2711

Examiner: Sam Huang

Date: January 3, 2000

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GROUP 2706

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PAID FOR	NUMBER OF EXTRA CLAIMS	RATE	ADDL. FEE
TOTAL CLAIMS	* 22	MINUS **	20	= 2	x \$ 18 = \$	36
INDEP. CLAIMS	* 2	MINUS ***	3	= 0	x \$ 78 = \$	0
FEE FOR FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM(S)					\$260 = \$	0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT.....						\$ 36

- \* If the entry in col. 2 is less than entry in col. 4 write "0" in col. 5.  
\*\* If the "highest number paid for" in this space is less than 20, write "20" in this space.  
\*\*\* If the "highest number paid for" in this space is less than 3, write "3" in this space.

- ☐ No additional fee is required.
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